



Joint Committee on Human Rights

Committee Office · House of Commons · London · SW1A 0AA
Tel 020 7219 2797 Email JCHR@parliament.uk Website www.parliament.uk



From Rt Hon Harriet Harman MP, Chair

Rt Hon Michael Fallon MP
Secretary of State for Defence
Floor 5, Main Building
Whitehall
London
SW1A 2HB

30 November 2015

Dear Michael,

I am writing to ask that you give your immediate attention to a number of requests made by the Joint Committee on Human Rights to which the Government has, so far, failed to respond. I understand that your department has the responsibility for co-ordinating a response within Government. I am disappointed to have to write to you in such strong terms.

As you are aware, the JCHR has embarked on an inquiry into the UK Government's policy on the use of drones for targeted killing. To assist the Committee in its inquiry I asked, by letter of 4 November, for a memorandum to be produced for the Committee by Thursday 19 November. The first issue of concern is that fact that, to date, despite almost daily enquiries from the Committee staff, we have received no response and I cannot understand the reason for the delay.

I would have thought that the Government had been advised of the legal basis for the targeted killing before it occurred. Accordingly, we are asking for information which should already be to hand. The failure of the Government to deliver the memorandum is causing serious delay to the Committee's Inquiry. Our first evidence session will take place on 2 December and, as things stand, we will be hearing from witnesses without the benefit of having been able to see the Government's memorandum.

The second issue of concern is the Government's failure to respond to our request that its principal lawyers, who advise on this matter, appear before the Committee. In addition to our original letter of 4 November, we wrote to the Attorney General on 17 November, asking for a response by return. As we have previously stated, it is important for the Committee to hear what procedures are in place when deciding to carry out a lethal drone strike (and the point at which legal approval is given). We have, despite repeated enquiries by the Committee staff, not received a response to our request.

The third issue of concern is the failure of both you and the Attorney General to respond to our request that you give oral evidence to the Committee. You will be aware that the Foreign Secretary has agreed to appear on 16 December 2015, and would appreciate if you would agree to attend as a matter of urgency.

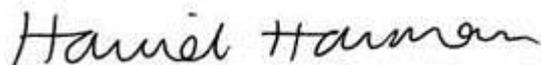
I am sure you recognise how important Government accountability to Parliament is and the role of this Select Committee in that accountability.

Given that this inquiry is about targeted killing, a matter of the utmost seriousness, to fail to be accountable to Parliament is inexcusable. I would be grateful if you would now ensure that:

- We receive the Government memorandum forthwith - so that Committee Members have an opportunity to have sight of it prior to our first evidence session on 2 December 2015;
- The Government's principal lawyers attend and give evidence to our Committee as requested;
- You agree to our request to give evidence to the Committee on 16 December.

I have written to the chair of the Liaison Committee to draw to his attention the Government's failure to make itself accountable.

I look forward to your urgent response.

A handwritten signature in black ink that reads "Harriet Harman". The signature is written in a cursive, flowing style.

Rt Hon Harriet Harman MP
Chair